

HOUSE No. 918

By Mr. Larkin of Pittsfield, petition of Peter J. Larkin relative to expanding the powers of the Criminal History Systems Board and further regulating access to criminal history information by providers of child care services. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT EXPANDING THE POWERS OF THE CRIMINAL HISTORY SYSTEMS BOARD AND GOVERNING ACCESS TO CRIMINAL HISTORY INFORMATION BY PROVIDERS OF CHILD CARE SERVICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 167 of Chapter 6 of the General Laws is hereby
2 amended by modifying the definition of “Criminal Offender
3 Record Information” by replacing the first sentence with the
4 following sentence:

5 “Criminal Offender Record Information,” records and data in
6 any communicable form compiled by any criminal justice agency
7 or agency which investigates the abuse or neglect of children or
8 individuals with disabilities in this and in other states and within
9 the United States Government which concern an identifiable indi-
10 vidual and relate to the nature or disposition of a criminal charge,
11 an arrest, a pre-trial proceeding, other judicial proceedings, sen-
12 tencing, incarceration, rehabilitation, release, or the nature and
13 disposition of reports of abuse or neglect of children or individ-
14 uals with disabilities.

15 Section 168 of Chapter 6 of the General Laws is hereby
16 amended by replacing the second sentence of paragraph four with
17 the following sentence:

18 Said systems shall be designed to insure the prompt collection,
19 exchange, dissemination and distribution of such criminal
20 offender records information as may be necessary for the efficient
21 administration and operation of criminal justice agencies, and to

22 connect such systems directly and indirectly with similar systems
23 in this and other states and any system within the United States
24 government.

25 Section 1 of Chapter 28A of the General Laws is hereby
26 amended by inserting the following new language at the end of
27 Section 1:

28 (7) to assure that every provider of child care services has elec-
29 tronic access to criminal history information for current or
30 prospective employees, volunteers and consultants that is com-
31 piled by the Massachusetts Criminal History Systems Board and
32 all similar agencies in other states and agencies under the jurisdic-
33 tion of the United States government within twenty-four hours of
34 the receipt of a request.